

Appl. No.: 10/707,566
Response dated Sept. 7, 2005
Reply to Office Action of August 8, 2005

traverse.

Arguments

Without asserting or admitting in any way that the Inventions as identified by the Examiner are not patentably distinct, the Applicant submits that the restriction requirement is improper. The search and examination of the entire application can be made without serious burden. The Examiner must therefore examine the application on the merits. See MPEP § 803.01.

In support, the Applicant submits that the classification of Invention I is not appropriate. As set forth in the US Manual of Classification, Class 200, subclass 5A is for Electricity -- Circuit Breakers and Makers, Multiple Circuit Control with Independent Operators. This is an electronic classification, while the claims are drawn to the mechanical features of a privacy keypad.

Invention II is drawn to an escutcheon, and is classified by the Examiner as class 362, subclass 100, Illumination, door knob or keyhole illuminator. Although the Examiner asserts that claims 10-17 are drawn to a lighted door lock, claims 10-13 and 16 and 17 do not include a light source, only claims 14-16 do. Thus, while the Examiner's classification may be appropriate for claims 14-16, it is not appropriate for claims 10-13 and 17-18.

The Applicant submits that the inclusion of examination of claims 10-13 and 16 and 17 with the examination of claims 1-9 would not be unduly burdensome and should be performed. Claim 18, also drawn to an escutcheon, should be included in the examination.

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CONCLUSION

As discussed, the search and examination of claims 1- 13 and 16 - 18 does not pose a serious burden to the Examiner. In contrast, the cost to the Applicant of pursuing the numerous Inventions is substantial. If the Examiner has any questions about the present Response or anticipates final restriction that rejects the traverses made herein, a telephone interview is respectfully requested.

Respectfully submitted,

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